

SCULLY, SCOTT, MURPHY & PRESSER PC

INTELLECTUAL PROPERTY LAW

JUL 0 2 2007

400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530 516-742-4343 FAX: 516-742-4366 E-MAIL: INTPROP@SSMP.COM WWW.SSMP.COM

June 29, 2007

LEOPOLD PRESSER FRANK S. DIGIGLIO PAUL J. ESATTO, JR. JOHN S. SENSNY MARK J. COHEN EDWARD W. GROLZ STEVEN FISCHMAN PETER I. BERNSTEIN THOMAS SPINELLI XIAOCHUN ZHU

MARVIN BRESSLER RICHARD J. DANYKO YING LUO EUNHEE PARK MICHAEL A. PETROCELLI KATHERINE R. VIEYRA JOHN F. VODOPIA SETH M. WEINFELD KEITH A. WELTSCH* ZHUANG YUANA

PATENT AGENTS LESLIE S. SZIVOS, PH.D. BYEONGJU PARK, PH.D.

COUNSEL BARRY M. KRIVISKY ALLEN R. MORGANSTERN ALEK P. SZECSY STEPHEN A. YOUNG

TECHNICAL CONSULTANTS DOMINICK A. TUCCIO HESONG CAO

> RETIRED JOHN F. SCULLY STEPHEN D. MURPHY

> > ANTHONY C. SCOTT 1931-1994

OH BAR ONLY *DC AND MD BAR ONLY
OIL BAR ONLY 'CT BAR ONLY

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re:

USSN: 10/577,004

Guenter Wanschura, et al. Our Docket: 18955

Dear Sirs:

The Filing Receipt for the above-identified patent application does not include the Assignment for Published Patent Application. It should read as follows:

> **Assignment for Published Patent Application** Brueninghaus hydromatik GmbH, Elchingen, Germany

as indicated on the enclosed pages. Please make the corrections and send us a

corrected Filing Receipt.

SSM&P/tw Encl.

H:\work\127\18955\LTR\18955.L07.doc



j.

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS PO. Box 1450 Alexandria, Virginia 22313-1450 www.upto.gov

FILING OR 371(c) APPL NO. **ART UNIT FIL FEE REC'D** ATTY.DOCKET NO **TOT CLMS** IND CLMS DATE 10/577,004 04/24/2006 3753 900 18955 1 JUL 0 2 2007 CONFIRMATION NO. 2346

272 SCULLY, SCOTT, MURPHY & PRESSER 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530 FILING RECEIPT

OC000000022732814

Date Mailed: 03/13/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt: If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Guenter Wanschura, Ulm, GERMANY; Jerzy Kreja, Nersingen, GERMANY; Juergen Gintner, Elchingen, GERMANY;

Power of Attorney: The patent practitioners associated with Customer Number 272.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/11357 10/11/2004

Foreign Applications

GERMANY 103 49 599.1 10/24/2003

If Required, Foreign Filing License Granted: 03/02/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/577,004

Projected Publication Date: 06/14/2007

Non-Publication Request: No

Early Publication Request: No

Title

Connection block for a hydrostatic piston machine

Preliminary Class

137

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

)	·i	·),	
FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 7-2005)			ATTORNEY'S DOCKET NUMBER		
TRANSMITTAL LETTER TO THE UNITED STATES			18955		
DESIGNATED/ELECTED OFFICE (DO/EO/US)				U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	
	CON	ICERNING A SUBMISS	SION UNDER 35 U.S.C. 371	1	
INTE		IONAL APPLICATION NO. CT/EP2004/011357	INTERNATIONAL FILING DATE 11 October 2004 (11.10.2004)	PRIORITY DATE CLAIMED 24 October 2003 (24.10.2003)	
TITLE	OF I	NVENTION			
COI	NNEC	CTION BLOCK FOR A HYDRO	STATIC PISTON MACHINE		
		T(S) FOR DO/EO/US Wanschura; Jerzy Kreja; and Ju	ergen Gintner		
Applic	ant h	erewith submits to the United State	es Designated/Elected Office (DO/E O/US) the	following items and other information:	
1.	×	This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.			
2.		This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.			
3.	×	This is an express request to beg (9) and (24) indicated below.	in national examination procedures (35 U.S.C	3. 371(f)). The submission must include items (5), (6),	
4.		The US has been elected (Article	31).	,	
5.	\boxtimes	A copy of the International Applic	ation as filed (35 U.S.C. 371 (c)(2))		
		a. is attached hereto (requ	ired only if not communicated by the Internat	ional Bureau).	
		b. 🛛 has been communicate	d by the International Bureau.		
		c. Is not required, as the a	pplication was filed in the United States Recei	iving Office (RO/US).	
6.	×	An English language translation of	of the International Application as filed (35 U.S	s.C. 371(c)(2)).	
		a. 🖾 is attached hereto.			
			bmitted under 35 U.S.C. 154(d)(4).		
7.	Ø	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))			
			quired only if not communicated by the Interna	ntional Bureau).	
			ed by the International Bureau.		
			owever, the time limit for making such amendr	ments has NOT expired.	
		d. A have not been made ar		Wala 40 (05 H 0 0 274/a)/3))	
8.			of the amendments to the claims under PCT A	utide 19 (35 U.S.C. 371(C)(3)).	
9.	Ø				
10.		Article 36 (35 U.S.C. 371 (c)(5)).	of the armexes to the international Frenchisary	Examination report titles r C1	
11.		• •	ninary Examination Report (PCT/IPEA/409).		
12.	×	A copy of the International Searc	•		
		3 to 23 below concern documen	t(s) or information included:		
13.	Ø		ment under 37 CFR 1.97 and 1.98.		
14.	Ø		ording. A separate cover sheet in compliance	with 37 CFR 3.26 and 3.31 is included.	
15.	Ø	A FIRST preliminary amendment			
16.		A SECOND or SUBSEQUENT p	reliminary amendment.		
17.		A substitute specification.	an af address latter		
18.		A power of attorney and/or chang		4042 and 27 CED 1 901 1 905	
19.			sequence listing in accordance with PCT Rule		
20.		**	nternational Application under 35 U.S.C. 154(c		
21.	8 20		guage translation of the International Applicati	on under ээ о.э.о. тэ ч (одч).	
22.	Ø	Express Mail Label No. EX	7 861632524 US		

PTO-1390 (Rev. 07-2005)
Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

23. Other items or information: Eight (8) Sheets of Drawings Assignee: BRUENINGHAUS HYDROMATIK GMBH of Elchingen, Germany The following fees have been submitted: 24. ☑ Basic national fee . \$300.00 25. ☑ Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article \$0 All other situations. \$200 26. ☑ Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an international Searching Authority. \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400 All other situations. \$500 TOTAL OF 24, 25 and 26 = \$900.00 Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.	
Eight (8) Sheets of Drawings Assignee: BRUENINGHAUS HYDROMATIK GMBH of Elchingen, Germany The following fees have been submitted: 24. Basic national fee	
24. ☑ Basic national fee	
24. ☑ Basic national fee	
25. \(\omega \) Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article All other situations	
26. Search fee (37 CFR 1.492(b)) If the written opinion the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority\$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB\$400 All other situations\$500 TOTAL OF 24, 25 and 26 = \$900.00	
TOTAL OF 24, 25 and 26 = \$ \$900.00	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.822(j)).	
Total Sheets Extra Sheets Number of each additional 50 or RATE fraction thereof (round up to a whole	į
-100 = 0 /50 = 0 × \$250.00 \$ \$0.00	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).	
CLAIMS NUMBER FILED NUMBER EXTRA RATE	
Total claims * 9 - 20 = 0 x \$50.00 \$ \$0.00	
Independent claims * 1 - 3 = 0 x \$200.00 \$ \$0.00	
MULTIPLE DEPENDENT CLAIMS (if applicable)	
TOTAL OF ABOVE CALCULATIONS = \$ \$900.00	
Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by \$ \$0.00	
SUBTOTAL = \$ \$900.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).	
TOTAL NATIONAL FEE = \$ \$900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +	
TOTAL FEES ENCLOSED = \$ \$900.00	
*Claim calculation based on claims as amended by Amount to be \$	
Preliminary Amendment being filed concurrently Amount to be \$	